

Judge Cole

FILED

01 MAR 29 PM 3:01

BEVERLY FRANK
CLERK OF SUPERIOR COURT
YUMA, ARIZONA 85364

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YUMA

In the Matter of:

**REVISION OF CALENDAR ASSIGNMENTS
AND ASSIGNMENT AND NUMBERING
OF CASES OF SUPERIOR COURT,
YUMA COUNTY, ARIZONA**

Administrative Order

NO. 2001-06

This Administrative Order shall supersede and take the place of Administrative Order No. 2000-15 as amended, dated October 30, 2000.

The Superior Court in Yuma County wants to maintain its effective caseload management system and to accomplish its goal of disposing of 90% of the felony cases within 100 days of filing, and 99% within 180 days.

Case disposition statistics and best practice dictate that in order for the courts to maintain effective disposition of felonies, and to effect timely disposition of all other cases, that assignment of criminal, civil, domestic relations, reciprocal, juvenile, probate, mental health, adoption, and other proceedings among the different Divisions of the Yuma County Superior Court be changed consistent with this Administrative Order.

IT IS THEREFORE ORDERED that effective April 1, 2001, and until further order of the Presiding Judge, the following assignments of Superior Court Judges are made for the Judges of the Yuma County Superior Court:

(1) Tom C. Cole is assigned to Division One;

- (2) John N. Nelson is assigned to Division Two;
- (3) Thomas A. Thode is assigned to Division Three;
- (4) Andrew W. Gould is assigned to Division Four; and
- (5) Kirby Kongable is assigned to Division Five.

IT IS ORDERED that effective with cases filed beginning April 1, 2001, and until further order of the Presiding Judge (notwithstanding any previous assignment having been made in justice court) all criminal cases shall continue to be assigned as follows:

- (1) All numbered cases, the last two digits of which number when divided by four (4) result in a remainder of one (1), to Division One;
- (2) All numbered cases, the last two digits of which number when divided by four (4) result in a remainder of two (2), to Division Two;
- (3) All numbered cases, the last two digits of which number when divided by four (4) result in a remainder of three (3), to Division Three;
- (4) All numbered cases, the last two digits of which number when divided by four (4) result in a remainder of zero (0), to Division Four.

IT IS FURTHER ORDERED that all pending criminal cases with warrants outstanding that are currently assigned to a judge other than those designated in Divisions One through Four above, shall be assigned to divisions according to the numbering system set forth above and made a part of this administrative order for criminal cases.

IT IS FURTHER ORDERED that all criminal cases in which a defendant was originally sentenced by a judge who is active and sitting as designated in Divisions One through Four above, shall be assigned to that judge. Such assignment shall include, but not be limited to, petitions for violation of probation, petitions for restoration of civil rights, petitions to modify conditions of probation, and petitions for post-conviction relief.

IT IS FURTHER ORDERED that all criminal cases in which a defendant was originally sentenced by a judge other than those designated in Divisions One through Four above, shall be assigned to divisions according to the numbering system set forth above and made a part of this administrative order for criminal cases. Such assignment shall include, but not be limited

1 to, petitions for violation of probation, petitions for restoration of civil rights, petitions to modify
2 conditions of probation, and petitions for post-conviction relief.

3 IT IS ORDERED that effective with cases filed beginning April 1, 2001, and
4 until further order of the Presiding Judge, all civil cases shall continue to be assigned as follows:

- 5 (1) All numbered cases, the last two digits of which number when divided by
6 four (4) result in a remainder of one (1), to Division One;
- 7 (2) All numbered cases, the last two digits of which number when divided by
8 four (4) result in a remainder of two(2), to Division Two;
- 9 (3) All numbered cases, the last two digits of which number when divided by
10 four (4) result in a remainder of three (3), to Division Three;
- 11 (4) All numbered cases, the last two digits of which number when divided by
12 four (4) result in a remainder of zero (0), to Division Four.

13 IT IS ORDERED that effective with cases filed beginning April 1, 2001, and until
14 further order of the Presiding Judge:

- 15 (1) All mental health cases shall be assigned to the Honorable John Paul
16 Plante, Commissioner/Superior Court Judge Pro Tem; and
- 17 (2) That any mental health cases filed prior to April 1, 2001, that come before
18 the court for hearing or review after April 1, 2001, shall be automatically
19 reassigned to the Honorable John Paul Plante, Commissioner/Superior
20 Court Judge Pro Tem.

21 IT IS ORDERED that effective with cases filed beginning April 1, 2001, and until
22 further order of the Presiding Judge:

- 23 (1) All civil cases where a petition has been filed seeking an order of the court
24 to detain a person as a Sexually Violent Person pursuant to the Sexually
25 Violent Persons Act, A.R.S. §§36-3701 through 36-3716, shall be
26 assigned to the Honorable John Paul Plante, Commissioner/Superior
27 Court Judge Pro Tem.
- 28 (2) Any civil cases where a petition has been filed prior to April 1, 2001,

1 seeking an order of the court to detain a person as a Sexually Violent
2 Person pursuant to the Sexually Violent Persons Act, A.R.S. §§36-3701
3 through 36-3716, that come before the court for hearing or review after
4 April 1, 2001, shall be automatically assigned to the Honorable John Paul
5 Plante, Commissioner/Superior Court Judge Pro Tem.

6 IT IS ORDERED that effective with cases filed beginning April 1, 2001, and until
7 further order of the Presiding Judge:

- 8 (1) All adoption cases shall be assigned to the Honorable John Paul Plante,
9 Commissioner/Superior Court Judge Pro Tem; and
10 (2) That any adoption cases filed prior to April 1, 2001, that come before the
11 court for hearing or review after April 1, 2001, shall be automatically
12 reassigned to the Honorable John Paul Plante, Commissioner/Superior
13 Court Judge Pro Tem.

14 IT IS ORDERED that effective with cases filed beginning April 1, 2001, and until
15 further order of the Presiding Judge:

- 16 (1) All probate cases shall be assigned to the Honorable John Paul Plante,
17 Commissioner/Superior Court Judge Pro Tem; and
18 (2) Any probate cases filed prior to April 1, 2001, that come before the court
19 for hearing or review after April 1, 2001, shall be automatically reassigned
20 to the Honorable John Paul Plante, Commissioner/Superior Court Judge
21 Pro Tem.

22 IT IS ORDERED that all cases in the Juvenile Division of the Yuma Superior
23 Court shall continue to be assigned to Division Five.

24 IT IS ORDERED that all cases of the Adult Drug Court shall continue to be
25 assigned to Division One.

26 IT IS ORDERED that all domestic relations cases shall continue to be assigned to
27 the Honorable John Paul Plante, Commissioner/Superior Court Judge Pro Tem, except as
28 follows:

- 1 (1) that effective with cases filed beginning April 1, 2001, and until further
2 order of the Presiding Judge, all Title IV(D) child support actions initiated
3 by the Arizona Attorney General's Office shall continue to be assigned to
4 Commissioner/Superior Court Judge Pro Tem Denise D. Gaumont;
- 5 (2) that any Title IV(D) child support actions initiated by the Arizona
6 Attorney General's Office filed prior to April 1, 2001, that come before
7 the court for hearing on April 1, 2001, and after, shall continue to be
8 assigned to Commissioner/Superior Court Judge Pro Tem Denise D.
9 Gaumont;
- 10 (3) that any Title IV(D) cases assigned under a) & b) above, that come before
11 the court for hearing on some issue other than child support, shall
12 continue to be reassigned to the Honorable John Paul Plante for those
13 contested issues. These hearings would include, but not be limited to, a
14 visitation issue, a custody issue, or a change of custody issue.

15 IT IS ORDERED beginning April 1, 2001, Commissioner/Superior Court Judge
16 Pro Tem Denise D. Gaumont shall continue to hear cases for the Juvenile Division of the
17 Superior Court all day on Mondays, all day on Tuesdays, and on Wednesday mornings; further,
18 that she shall continue to hear cases for the Superior Court on Wednesday afternoons, all day on
19 Thursdays and all day on Fridays.

20 IT IS ORDERED beginning April 1, 2001, and until further order of this court, all
21 domestic relations default actions shall be heard by either Commissioner/Superior Court Judge
22 Pro Tem Denise D. Gaumont or Commissioner/Superior Court Judge Pro Tem John Paul Plante
23 on Wednesday afternoons at 2:00 p.m.

24 IT IS ORDERED beginning April 1, 2001, and until further order of this court, all
25 Title IV(D) child support actions initiated by the Arizona Attorney General's Office shall
26 continue to be heard by Commissioner/Superior Court Judge Pro Tem Denise D. Gaumont on
27 Thursdays.

28 IT IS ORDERED beginning April 1, 2001, and until further order of this court, all

1 Arraignments shall be heard by either Commissioner/Superior Court Judge Pro Tem Denise D.
2 Gaumont or Commissioner/Superior Court Judge Pro Tem John Paul Plante on Fridays at 8:30
3 a.m.

4 IT IS ORDERED beginning April 1, 2001, and until further order of this court, all
5 Motions to Review Conditions of Release shall be heard by either Commissioner/Superior Court
6 Judge Pro Tem Denise D. Gaumont or Commissioner/Superior Court Judge Pro Tem John Paul
7 Plante on Fridays at 9:30 a.m.

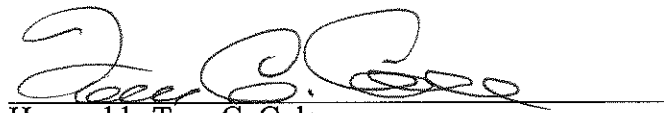
8 Notwithstanding the foregoing judicial assignments, during the absence or
9 unavailability of any Superior Court Judge, another Superior Court Judge may be substituted in
10 his or her place.

11 IT IS ORDERED beginning April 1, 2001, and until further order of this court, the
12 criminal calendars shall continue to be held as follows:

- 13 (1) Divisions One and Three on Tuesday and Thursday mornings at 8:30 a.m.
14 (2) Divisions Two and Four on Wednesday and Friday mornings at 8:15 a.m.
15 and 8:30 a.m. respectively.

16 IT IS ORDERED that Law and Motion Day shall continue to be the first working
17 day of each week, with proceedings being held on that day unless otherwise set by the Judge
18 assigned to a particular case.

19 DATED this 29th day of March, 2001.

20 
21 Honorable Tom C. Cole
22 Presiding Judge

23 Copies to:

24 Hon. John N. Nelson
25 Hon. Thomas A. Thode
26 Hon. Andrew W. Gould
27 Hon. Kirby Kongable
28 Hon. John Paul Plante
Hon. Denise D. Gaumont
Beverly Frame, Clerk of the Superior Court
Margaret Guidero, Court Administrator
Jane E. Pray, Caseflow Manager